

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SERGIO RAMIREZ IBARRA, *et al.*,

Appellants,

v.

BANK OF AMERICA NA, *et al.*,

Appellees.

Case No. 2:12-CV-00497-KJD-PAL

**ORDER**

Before the Court is the Motion to Dismiss for Nonprosecution Pursuant to L.R. 8070(a) (#5) filed by Appellees Bank of America NA and Mortgage Electronic Registration Systems. No opposition has been filed.

Appellees argue that Appellants have failed to comply with L.R. 8070(a) since they have not filed a statement of issues, filed designation of record on appeal, requested transcripts, or filed a certificate of interested parties as required by local rules. Further, Appellants have failed to file points and authorities in opposition to the Motion to Dismiss. District of Nevada Local Rule 7-2(d) states, in relevant part: “[t]he failure of an opposing party to file points and authorities in response to

1 any motion shall constitute a consent to the granting of the motion.” D. Nev. L.R. 7-2(d). Good  
2 cause appears to support Appellees’ Motion.

3 Accordingly, **IT IS HEREBY ORDERED THAT** the Motion to Dismiss for  
4 Nonprosecution (#5) is **GRANTED**.

5 **IT IS FURTHER ORDERED** that this action is **DISMISSED**.

6 DATED this 29th day of August 2012.

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Kent J. Dawson  
United States District Judge  
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